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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/693,226	10/20/2000	Kia Silverbrook	ART84US	7839

24011 7590 07/06/2004

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

HANNETT, JAMES M

ART UNIT	PAPER NUMBER
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2612

12

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/693,226

Applicant(s)

SILVERBROOK ET AL.

Examiner

James M Hannett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9 and 11</u> . | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: Throughout the specification the applicant refers to numerous U.S Patents. However, there are several instances in which the serial number is missing and only a blank line is given.

Appropriate correction is required.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1: Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN

6,441,921 Soscia in view of USPN 5,771,245 Zhang.

2: As for Claim 1, Soscia teaches on Column 4, Lines 6-15 and Column 5, Lines 11-16, the use of a system that encodes on a greeting card sound data by means of printing on the card

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using invisible infra-red ink. Soscia teaches on Column 6, Lines 50-55 an apparatus for reading data printed in invisible ink on a surface of a card said surface bearing an image. Soscia teaches on Column 7, Lines 3-13 scanning means for scanning said digital form of said data on said surface; means for processing said scanned data and for decoding said data into a secondary digital format; means for outputting said secondary digital format to an output device with which said secondary digital format is usable; said output device presenting said data as sound data. However, Soscia does not teach that the data printed on the greeting card can be encoded in fault tolerant form.

Zhang teaches on Column 3, Lines 58-61 and Column 4, Lines 18-31 that when storing data in a printed form it is advantageous to store the data in a fault tolerant form that allows the data to be fully reconstructed even if errors occur. This is advantageous because it allows the data to be fully reconstructed even if some of the data has been lost due to damage.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to encode the data that is stored on the greeting card of Soscia in the fault tolerant form as taught by Zhang in order to allow all of the data to be read and reproduced even in the event of data loss due to burst error patterns.

3: In regards to Claim 2, Zhang further teaches on Column 4, Lines 18-31 that it is advantageous to use a Reed-Solomon process for encoding the data in a fault tolerant digital form.

4: As for Claim 3, Soscia teaches on Column 4, Lines 60-61 that the output device includes a display device (25).

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5: In regards to Claim 4, Soscia further teaches on Column 5, Lines 29-37 that the invisible ink is an infra-red adsorbing ink with negligible absorption in the visible spectrum.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5,893,132 Huffman et al teaches a method of encoding a book for reading using an electronic book; USPN 6,331,867 Eberhard et al teaches the use of an electronic book; USPN 5,847,698 Reavey et al teaches the use of an electronic book; USPN 6,542,622 Nelson et al teaches the use of reading data that is printed on an image using invisible infra-red ink; USPN 5,067,713 Soules et al teaches a method of printing on a card invisible data using infra-red ink; USPN 6,094,279 Soscia teaches a process for non-perceptively integrating sound data in to a printed image; USPN 6,320,591 Griencewic teaches the use of an electronic book .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

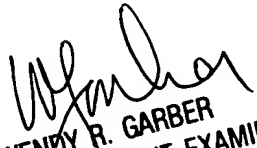
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
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JMH
June 16, 2004


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600